IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

Bail Appl..No. 566 of 2007

(CRIME NO.288/06 OF EROOR POLICE STATION PENDING BEFORE JFCM-I, PUNALOOR)

PETITIONERS/ACCUSED 2,3,5,6,8,9,10 AND 3 OTHERS:

1. **YESUDAS, S/O.NANU,**
   CHARUVILA VEEDU, THAZHE MEENKULAM,
   CHANNAPETTA P.O.

2. **ATHMADAS, S/O. NANU,**
   DO.

3. **SATHEESAN, S/O.KUNJUKUNJU,**
   SARANYABHAVAN, THAZHEMEENKULAM, CHANNAPETTA VILLAGE.

4. **RATHEESH, S/O. BABU,**
   KUNNINPARANGIMAMVILAVEEDU,
   THAZHEMEENKULAM, CHANNAPETTA VILLAGE.

5. **LIJU, S/O YESUDAS,**
   PLAVILA VEEDU, THAZHEMEENKULAM,
   CHANNAPETTA VILLAGE.

6. **REJI, S/O YESUDAS,**
   DO.

7. **KUTTAPPAN, S/O GOPALAN,**
   KUNNIPARANGIMAMVILA VEEDU,
   THAZHEMEENKULAM.

8. **MANI, S/O.PODIYAN,**
   CHARUVILA VEEDU, PEROOR P.O., KILIMANOOR.

9. **SUGATHAN, S/O PODIYAN,**
   DO.

10. **SUGU, S/O. VISWAMBARAN,**
    PEROOR P.O. KILIMANOOR.

BY ADV. SRI.A.RAJASIMHAN

...2/-

RESPONDENT: COMPLAINANT:

SUB INSPECTOR OF POLICE,
EROOR POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 566 OF 2007 A

Dated this the 13th day of February, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners, who are accused Nos.2, 3, 5, 6, 8, 9 and 10 and three other persons in Crime No.288/2006 of Eroor Police Station for offences punishable under Sections 143, 147, 148, 447, 427 and 308 read with section 149 I.P.C. and section 3 of the Explosive Substances Act, 1908, seek anticipatory bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. An earlier application for anticipatory bail filed by the petitioners as B.A. No.7262/2006 was disposed of by this court directing them to surrender before the Magistrate concerned and to file application for regular bail. Instead of availing of the benefit of the said order, the petitioners have again approached this court with the present application for anticipatory bail.

4. The learned counsel for the petitioners submitted that what insisted the petitioners to file the present application was the conduct of

the Sub Inspector of Police, who was harassing the accused persons. The learned Public Prosecutor, on instructions, submitted that this version of the petitioners is false and without surrendering before the Magistrate as directed in Annexure-A2 order passed by this court in B.A.No.7262/2006, the petitioners had intimidated the de facto complainant, who had again complained to the police against the conduct of the petitioners. I am not inclined to show any indulgence towards the petitioners. This petition is accordingly dismissed.

(V. RAMKUMAR, JUDGE)

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